

## REFLECTIONS ON THE LIFE OF MARY MITCHELL

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“[V]ariety . . . is the greatest social good life can offer.”<sup>1</sup> This quotation is from a book that was in Professor Mary Mitchell’s library; she had underlined it and marked it with an asterisk. I wonder if she realized that it is a perfect summary of her life. So many things inspired her—nature, poetry, philosophy, religion, history, justice, teaching, mentoring—and she lived an unselfish, varied, and admirable life based on her interest and devotion to them.

Mary was a deeply religious person and was active in the First Friends Meeting, a Quaker church in Indianapolis. She was also interested in the philosophical underpinnings of justice and morals. I did not know, however, the extent of her interest in philosophy until after her death, when her family graciously invited her friends and colleagues to take books from her library. I took them up on their kind offer and discovered that Mary had books on philosophy, religion, political theory, and related topics<sup>2</sup> that were heavily underlined and annotated. This collection provided wonderful insight into Mary’s view of life. Her intense interest in these and other topics undoubtedly influenced her lifelong devotion to service, teaching, and creativity.

### *Community Service*

Mary’s services to the community were many and varied, but one of her main interests was the rights and needs of the elderly. Her first publication after she joined the law school faculty was a handbook titled *Legal Reference for Older Hoosiers*,<sup>3</sup> which the Indiana State Bar Association has distributed to thousands of elderly Indiana residents. She also served on the Indiana State Bar Association’s special committee on legal aid to older adults; the university’s committee on the aged, which started a gerontology program at IUPUI; and the board of directors of Heritage Place (a senior center) and Mulberry Lutheran

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1. NANCY L. ROSENBLUM, *ANOTHER LIBERALISM: ROMANTICISM AND THE RECONSTRUCTION OF LIBERAL THOUGHT* 17 (1987) (describing Wilhelm von Humboldt’s view of liberalism).

2. Examples include GORDON H. CLARK, *LANGUAGE AND THEOLOGY* (1980) (the importance of language in religious and secular theories); *POETRY AND POLITICS: AN ANTHOLOGY OF ESSAYS* (Richard Jones ed., 1985) (the influence of the poet, if any, on politics); H. JEFFERSON POWELL, *THE MORAL TRADITION OF AMERICAN CONSTITUTIONALISM* (1993) (the influence of liberalism, the Enlightenment, and Christianity on the drafters of the U.S. Constitution); ROSENBLUM, *supra* note 1 (a comparison of the liberalism of Romantics such as William Wordsworth with modern liberalism); MICHAEL J. SANDEL, *LIBERALISM AND THE LIMITS OF JUSTICE* (1982) (a critique of modern liberalism in the tradition of Immanuel Kant); JOSEPH TUSSMAN, *GOVERNMENT AND THE MIND* (1977) (the role of government in influencing the minds of its citizens).

3. MARY HARTER MITCHELL, *IND. BAR FOUND., LEGAL REFERENCE FOR OLDER HOOSIERS* (1982).

Home (a nursing home). This interest inspired her to create and teach a new course: Law and the Elderly.

Many of us who seek to help those in need focus on the poor, the homeless, the disabled, and so forth, but we never think of prisoners. That was not the case with Mary. She devoted considerable time and energy to various projects involving legal and other aid to prisoners and their families. Those at the law school are familiar with Sister Heart, an annual project that Mary started. She collected donations of toiletries and other items and delivered them to women who were in prison. She also participated in Citizens United for Rehabilitation of Errants (CURE), an organization for prisoners and their families; volunteered at Craine House, an alternative sentencing facility for female offenders and their families; and worked with various Quaker organizations related to prison ministry. As a result of her concern for prisoners, she created and taught, along with Donald Mohr, a new course: The Law of Corrections and Prisoners' Rights.

#### *Service to the Law School*

Mary's creativity, devotion to legal education, and her kind and generous spirit were a great asset to the law school community. In addition to teaching contracts, she created several new courses on a range of topics, including, in addition to those mentioned above, law and education, women and law, and law and literature. She served as chair of almost every faculty committee during her tenure and was awarded the Faculty Leadership Award in May 2009. Most notable was her ability to guide discussions, even contentious ones, in faculty and committee meetings with tact and integrity. She encouraged full discussion of the issues we faced so that we would make educated, reasoned decisions. She was like the angel on our collective shoulder, asking, "Are you sure?" And when she disagreed with a colleague's position, she did so respectfully and with grace—always with grace.

#### *Teaching and Mentoring*

At her memorial service, many former students spoke of the inspiration that Professor Mitchell had been to them as a teacher, a mentor, and a friend. To give one example out of many, a former student explained Mary's influence on his life. He met Mary after he had been released from prison and was homeless. She invited him to attend her course on prisoners' rights and later to apply for admission to the law school. He did so, and because of Mary's encouragement and mentoring, he is now a lawyer working in the Indiana State Public Defender's Office, and he is writing a book on his journey from homelessness to the practice of law. Later, in a letter recommending Mary for the university's Alvin S. Bynum Mentor Award for Excellence in Academic Mentoring by a Faculty Member, which she was awarded posthumously, one of her former students described her as a "truly amazing and inspiring professor" who spent hours throughout law school talking to her about "life, school, hopes, and dreams."<sup>4</sup>

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4. Letter from Dean Gary Roberts and Professor Joel Schumm, Indiana University School

At the law school orientation each year, Mary spoke to incoming students about the importance of wholeness in their lives and about keeping their perspective during law school. She advised them not to neglect family, friends, and things they enjoyed, such as art, music, and nature, during their challenging years in law school. Students may remember little about orientation, but they usually remember Mary's advice, and many have explained how it helped them to keep going when they became discouraged.

Mary and I taught in the Indiana Conference for Legal Education Opportunities (ICLEO) program each summer that it was hosted by our law school, including the summer of 2009. Many students have spoken about how Mary's teaching method enabled them to learn, to question, and to gain confidence in how to think about the law. After hearing of her death, a former ICLEO student wrote this e-mail message:

This past summer, along with . . . 28 bright men and women, I was introduced to [c]ontract [l]aw. . . . [T]hanks to the dexterity, ingenuity and candor of our professors, we all left the program with a ton of knowledge and feeling fortunate. . . . Today, one of these irreplaceable professors abruptly left us; she left us thirsty for more, and eager to show her we had mastered, made good use of what she taught us. Professor Mary Mitchell, we will miss you and you will forever live in our hearts, mind and contracts classes, and finals. Rest in [p]eace.<sup>5</sup>

Another student responded:

I would like to say that she inspired all of us to never give answers, but to question legal doctrines. Further, she had the ability to take such complex situations and break them down for us. [S]he shared with us her last summer, which I will always be grateful for. She chose to give back, and now, we are the beneficiaries of that grace. God bless and rest in peace[,] Professor Mitchell.<sup>6</sup>

#### *Nature and Poetry*

Mary loved the physical world and found a spirituality in it, as her poetry reflects. I was Mary's next-door neighbor for years, and I recall seeing her many times grading papers in her backyard rather than in some enclosed office. I also recall the last time I heard Mary speak. Shortly before her death, she had moved into her new husband's house. I visited Mary there several days before she was

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of Law—Indianapolis, to the Bynum Mentor Award Selection Committee, Indiana University Purdue University Indianapolis (Jan. 15, 2010) (quoting Angie Grogan) (on file with author).

5. E-mail from Arsene Millogo, student at Indiana University School of Law—Indianapolis, to Chasity Thompson and former ICLEO students and faculty (Nov. 4, 2009) (on file with author).

6. E-mail from Steven Zamora, student at Indiana University School of Law—Indianapolis, to Chasity Thompson and former ICLEO students and faculty (Nov. 6, 2009) (on file with author).

transferred to the hospital. Her daughter Sally escorted me upstairs to where Mary was propped up in a lounge chair in a sunlit room. She was so weak that she could hardly speak, but she managed to tell me two things. One was that this room, with its large windows and beautiful view of the out-of-doors, would be her home office. The other was her request to Sally as I was leaving: "Sally, show Joan the backyard." Sally did so, and I saw a miniature nature preserve bordered by a creek—the perfect setting for Mary Mitchell.

Mary's poems reflected not only her love of the natural world but also her view of nature's cycle of life and death. On the occasion of my husband's funeral, she wrote this poem:

On a summer solstice afternoon  
and too soon  
we buried the mourned man's ashes under an oak,

And there in the day's bright linger  
we spoke  
of the good,

of husband, father, brother,  
of pains drowned,  
of love, of the sun's rounding  
the years like gold around a finger  
or the secret rings of the wood.  
By this day's light the difference we see

between life's crooked circles, each one other,  
and love's round return.  
Gold will not burn

but there are ashes close by the roots  
of every green tree.

At her commemoration service, her family and friends scattered Mary's ashes under a tree planted in her honor at the First Friends Meeting—a perfect closure to the wonderful life of Mary Harter Mitchell.